

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS  
OF THE STATE OF IOWA**

RECEIVED  
EXECUTIVE DIRECTOR  
BOARD OF EDUCATIONAL EXAMINERS  
JUL 27 2016

In the matter of:	)	BOEE Case No. 16-55
	)	
<b>MICHAEL ANDERSON,</b>	)	<b>COMBINED STATEMENT OF</b>
(Folder # 342809)	)	<b>CHARGES, SETTLEMENT</b>
	)	<b>AGREEMENT, AND FINAL ORDER</b>
Respondent.	)	

In accordance with the provisions of Iowa Code sections 17A.12(5) and 272.2(4) and 282 IAC 11.4(6), and with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon his license, the Respondent expressly waives the right to a disciplinary hearing and notifies the Board of his desire to resolve the pending complaint through means of informal disposition.

The Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, the disciplinary hearing will be rescheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against him at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

**NOTICE OF HEARING**

A hearing in this matter will not be held, as the State and Respondent have entered into the following consent agreement in lieu of scheduling a contested case hearing. If the Board does not accept this Combined Statement of Charges, Settlement Agreement, and Final Order, the matter may be set for hearing in accordance with 282 Iowa Administrative Code rule 11.7.

**STATEMENT OF CHARGES**

**COUNT I.** The Board charges Respondent with violation of Board rule 282 Iowa Administrative Code rule 25.3(3)(b), alleging Respondent falsified or deliberately misrepresented or omitted material information regarding compliance reports submitted to federal, state, or other governmental agencies.

**COUNT II.** The Board charges Respondent with violation of Board rule 282 Iowa Administrative Code rule 25.3(3)(e), alleging Respondent falsified or deliberately misrepresented or omitted material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including, but

not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests.

### **STIPULATIONS**

1. Respondent holds a MASTER EDUCATOR LICENSE (FOLDER # 342809) with the following endorsements: K-12 Athletic Coach; 5-12 Instructional Strategist I: Mild/Moderate; 5-12 Health; 5-12, 5-12 Physical Education. Respondent's license is current and will next expire on September 30, 2016. Respondent also holds an expired PROFESSIONAL ADMINISTRATOR LICENSE with PK-12 Principal/Special Education Supervisor and Evaluator endorsements, an expired Regional Exchange License, and an expired Class C License.

2. Respondent has been employed as an Instructional Strategist I (Mild/Moderate Disabilities) at Grinnell High School since 2009.

3. March 14, 2016, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.

4. On May 13, 2016, the Board found probable cause to proceed to hearing based upon the facts set forth below.

5. Investigation revealed that Respondent falsified three progress monitoring data points for one student and failed to complete progress monitoring for another student temporarily assigned to him while the student's regular special education teacher was on maternity leave.

### **SETTLEMENT AGREEMENT**

7. This Combined Statement of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.

8. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

a. Respondent accepts a WRITTEN REPRIMAND.

b. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators." This course is offered by the ISEA. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course within one (1) year of the Board's acceptance of this Combined Statement of Charges, Settlement Agreement, and Final Order.

### LICENSEE DECLARATION

I understand that this settlement agreement is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

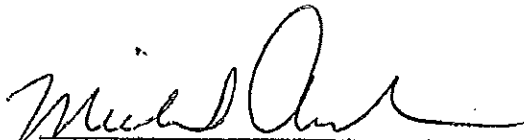
I understand State's counsel will present this Agreement to the Board *ex parte*.

I agree to comply with the requirements set forth in the stipulations and settlement agreement, and understand that my failure to do so can result in additional discipline of my teaching license.

I understand that this Combined Statement of Charges, Settlement Agreement, and Final Order is a public record, which will become part of my permanent licensure file and will be available for public inspection and reproduction.

I understand that my name will be added to the national clearinghouse database kept by the National Association of State Directors of Teacher Education and Certification (NASDTEC).

14 July 16  
Date

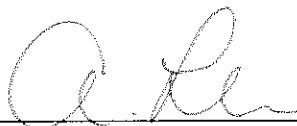
  
\_\_\_\_\_  
Michael Anderson, Respondent

## ORDER

IT IS THE FINAL ORDER OF THE IOWA BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and Ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.
2. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators." Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the Ethics for Educators course within one (1) year of the date of this Order.
3. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 5<sup>th</sup> day of August, 2016.



Dr. Ann Lebo, Executive Director  
Iowa Board of Educational Examiners

Copies to:

Michael Anderson  
RESPONDENT

Christy A.A. Hickman  
ATTORNEY FOR RESPONDENT

Julie Bussanmas  
ATTORNEY FOR THE STATE